

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Continuation Application of: )  
)  
Charles R. SLATER ) Group Art Unit: Unassigned  
)  
Application No.: Unassigned ) Examiner: Unassigned  
(Prior Appln. No.: 09/177,502) )  
)  
Filed: July 25, 2003 )  
)  
For: BIPOLAR ENDOSCOPIC SURGICAL )  
SCISSOR BLADES AND INSTRUMENT )  
INCORPORATING THE SAME )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed with this application.

Copies of the listed documents were previously submitted by Applicant or cited by the Examiner in prior applications (i.e., Application No. 08/354,992, filed December 13, 1994; and Application No. 09/177,502, filed October 23, 1998) upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. Copies therefore are not being provided with this application, in accordance with 37 C.F.R. § 1.98(d). Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 25, 2003

By: 

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	06530.0008-04	Appln. No.	Unassigned
Applicant	Charles R. SLATER		
Filing Date	July 25, 2003	Group:	Unassigned

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		2,002,594	05/1935	Wappler et al.			
		2,031,682	02/1936	Wappler et al.			
		3,651,811	03/1972	Hildebrandt et al.			
		3,920,021	11/1975	Hildebrandt			
		3,970,088	07/1976	Morrison			
		4,003,380	01/1977	Wien			
		4,016,881	04/1997	Rioux et al.			

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
		0 572 131	12/1993	Europe			
		0 517 243	12/1992	Europe			
		342619	7/1972	Russia			Yes
		575103	10/1977	Russia			Yes
		0717966	6/1996	Europe			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Individual, Inc., "Everest Medical Announces Notices Allowance From U.S. Patent Office" (July 21, 1994).
	Undated brochure of Hemostatix Surgical Instruments
	Declaration of Mark A. Rydell dated September 30, 1998 (7 pages), with attached Exhibits A-I.
	Declaration of David J. Parins dated September 30, 1998 (6 pages), with attached Exhibits 1-6
	Declaration of Joseph A. O'Brien dated September 30, 1998 (6 pages), with attached Exhibits 1-2
	Corson, S.L., "Two new laparoscopic instruments: Bipolar sterilizing forceps and uterine manipulator," <i>Medical Instrumentation</i> , Vol. 11, No. 1, (January-February 1977).
	Reissue application Serial No. 08/724,997 (of U.S. Patent No. 5,352,222) filed October 3, 1996.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
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Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		4,128,099	12/1978	Bauer			
		4,232,676	11/1980	Herczog			
		4,347,842	09/1982	Beale			
		4,370,980	02/1983	Lottick			
		4,492,231	01/1985	Auth			
		4,644,651	02/1987	Jacobsen			
		4,657,016	04/1987	Garito et al.			
		4,671,274	06/1987	Sorochenko			
		4,754,754	07/1988	Garito et al.			
		4,802,476	02/1989	Noerenberg et al.			
		4,819,633	04/1989	Bauer et al.			
		4,848,337	07/1989	Shaw et al.			
		4,850,353	07/1989	Stasz et al.			
		4,862,890	09/1989	Stasz et al.			
		4,938,761	07/1990	Ensslin			
		4,953,559	09/1990	Salerno			
		4,958,539	09/1990	Stasz et al.			
		5,009,656	04/1991	Reimels			
		5,013,312	05/1991	Parins et al.			
		5,015,227	05/1991	Broadwin et al.			
		5,026,370	06/1991	Lottick			
		5,035,248	07/1991	Zinnecker			
		5,082,000	01/1992	Picha et al.			

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U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
		5,085,659	02/1992	Rydell			
		5,116,332	05/1992	Lottick			
		5,133,727	07/1992	Bales et al.			
		5,147,356	09/1992	Bhatta			
		5,147,357	09/1992	Rose et al.			
		5,151,102	09/1992	Kamiyama et al.			
		5,160,343	11/1992	Brancel et al.			
		5,171,256	12/1992	Smith et al.			
		5,171,311	12/1992	Rydell et al.			
		5,174,300	12/1992	Bales et al.			
		5,176,677	01/1993	Wuchinich			
		5,197,963	03/1993	Parins			
		5,197,964	03/1993	Parins			
		5,207,675	05/1993	Canady			
		5,217,458	06/1993	Parins			
		5,217,460	06/1993	Knoepfler			
		5,219,354	06/1993	Choudhury et al.			
		5,258,006	11/1993	Rydell et al.			
		5,300,087	04/1994	Knoepfler			
		5,318,589	06/1994	Lichtman			
		5,324,289	6/1994	Eggers			
		5,330,471	07/1994	Eggers			
		5,342,381	08/1994	Tidemand			
		5,352,222	10/1994	Rydell			

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		5,356,408	10/1994	Rydell			
		5,391,166	02/1995	Eggers			
		5,395,369	03/1995	McBrayer et al.			
		5,396,900	03/1995	Slater et al.			
		5,403,312	04/1995	Yates et al.			
		5,443,463	08/1995	Stern et al.			
		5,445,638	08/1995	Rydell et al.			
		5,451,223	09/1995	Ben-Simhon			
		5,456,684	10/1995	Schmidt et al.			
		5,462,546	10/1995	Rydell			
		5,472,443	12/1995	Cordis et al.			
		5,496,312	03/1996	Klicek			
		5,496,317	03/1996	Goble et al.			
		5,514,134	05/1996	Rydell et al.			
		5,527,313	06/1996	Scott et al.			
		5,531,744	07/1996	Nardella et al.			
		5,540,685	07/1996	Parins et al.			
		5,562,659	10/1996	Morris			
		5,569,243	10/1996	Kortenbach et al.			
		5,573,534	11/1996	Stone			
		5,573,535	11/1996	Viklund			
		5,611,813	03/1997	Lichtman			
		5,766,166	06/1998	Hooven			
		5,860,975	01/1999	Goble et al.			

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